

**Zoning Ordinance Approval**  
**CITY OF AUSTIN**  
**RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: 42**  
**AGENDA DATE: Thu 10/28/2004**  
**PAGE: 1 of 1**

**SUBJECT:** C14-04-0135 - Approve second and third readings an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 300 North Lamar Blvd. (Town Lake Watershed) from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to limited industrial services-planned development arca-neighborhood plan (LI-PDA-NP) combining district zoning. First Reading on October 21, 2004. Vote: 7-0. Conditions met as follows: No conditions were imposed at first reading. Applicant: Goodwill Industries of Central Texas (Cathy Rudzinski). Agent: Drenner Stuart Wolff Metcalf von Kriesler (Michelle Allen). City Staff: Glenn Rhoades, 974-2775.

**REQUESTING DEPARTMENT:** Neighborhood Planning and Zoning      **DIRECTOR'S AUTHORIZATION:**

## SECOND/THIRD READING SUMMARY SHEET

**ZONING CASE NUMBER:** C14-04-0135

**REQUEST:**

Approve second and third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 300 North Lamar Blvd. (Town Lake Watershed) from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. First Reading on October 21, 2004. Vote: 7-0. Conditions met as follows: No conditions were imposed at first reading. Applicant: Goodwill Industries of Central Texas (Cathy Rudzinski). Agent: Drenner Stuart Wolff Metcalf von Kriesler (Michele Allen). City Staff: Glenn Rhoades, 974-2775.

**DEPARTMENT COMMENTS:**

The subject tract is within the Old West Austin Neighborhood Plan boundaries. The plan recommends increasing residential development in existing industrial areas; therefore, meeting the adopted neighborhood goals set forth in the plan. In addition, along this corridor the adopted plan recommends mixed-use development (see attached map). Because it is surrounded by commercial uses, this rezoning meets the future vision of the plan and will not require a plan amendment.

The applicant has also agreed to leave the historic façade of the existing building.

Staff has received a letter of support from the Old West Austin Neighborhood Association (see attached).

**APPLICANT:** Goodwill Industries of Central Texas (Cathy Rudzinski)

**AGENT:** Drenner Stuart Wolff Metcalf von Kriesler (Michele Allen)

**DATE OF FIRST READING/VOTE:**

October 21, 2004 – Approved LI-PDA as recommended by Commission (Vote:7-0).

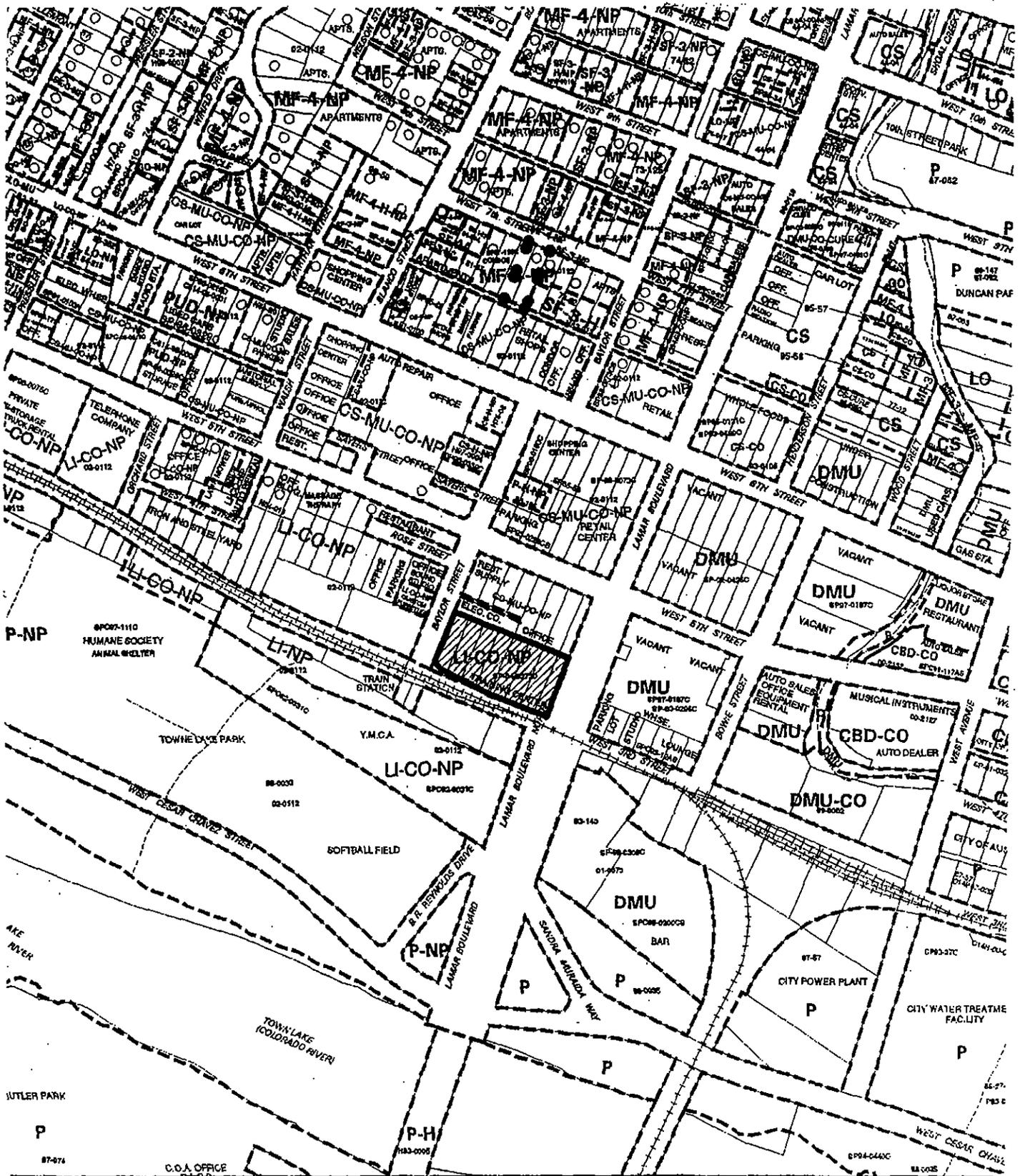
**CITY COUNCIL DATE:**

October 21, 2004 – Approved on first reading.

October 28, 2004

**ASSIGNED STAFF:** Glenn Rhoades

**PHONE:** 974-2775  
glenn.rhoades@ci.austin.tx.us



 1" = 400'	SUBJECT TRACT 	<b>ZONING</b>  CASE #: C14-04-0135 ADDRESS: 300 N LAMAR BLVD SUBJECT AREA (acres): 1.885	DATE: 04-08  INTLS: SM	CITY GRID REFERENCE NUMBER  H22
	PENDING CASE 			
	ZONING BOUNDARY 			
	CASE MGR: G. RHOADES			
	C.O.A. OFFICE			

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-04-0135

**P.C. DATE:** September 28, 2004

**C.C. DATE:** October 21, 2004  
October 28, 2004

**ADDRESS:** 300 North Lamar Blvd.

**OWNERS:** Goodwill Industries of Central Texas  
(Cathy Rudzinski)

**AGENT:** Drenner Stuart Metcalf Wolfe  
von Kreisler (Michele Allen)

**ZONING FROM:** LI-CO-NP

**TO:** LI-PDA-NP

**AREA:** 1.885 acres

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends the proposed change to limited industrial-planned development area-neighborhood plan (LI-PDA-NP) district zoning.

### **PLANNING COMMISSION RECOMMENDATION:**

September 28, 2004 – Approved limited industrial –planned development area (LI-PDA) district zoning by consent (Vote: 7-0. C. Riley – absent).

### **ISSUES:**

The subject tract is within the Old West Austin Neighborhood Plan boundaries. The plan recommends increasing residential development in existing industrial areas; therefore, meeting the adopted neighborhood goals set forth in the plan. In addition, along this corridor the adopted plan recommends mixed-use development (see attached map). Because it is surrounded by commercial uses, this rezoning meets the future vision of the plan and will not require a plan amendment.

The applicant has also agreed to leave the historic façade of the existing building.

Staff has received a letter of support from the Old West Austin Neighborhood Association (see attached).

### **DEPARTMENT COMMENTS:**

The applicant is proposing the zoning change in order to develop the site with a multifamily development not to exceed 300 units. In addition the PDA agreement will limit the property to the following:

Except as provided below, all permitted and conditional limited industrial (LI) uses are permitted and conditional uses on the property.

1) The following are additional uses of the property:

Multifamily Residential  
Townhouse Residential

Condominium Residential

2) The following uses are prohibited uses of the property:

Commercial Uses

Drop-Off Recycling Collection Facility  
 Scrap and Salvage  
 Exterminating Services  
 Vehicle Storage  
 Kennels

Industrial Uses

Basic Industry  
 Recycling Center  
 Resource Extraction  
 General Warehousing and Distribution

3) The following uses are conditional uses of the property:

Commercial Uses

Automotive Rentals  
 Automotive Sales  
 Automotive Repair Services  
 Automotive Washing (of any type)  
 Convenience Storage  
 Equipment Sales  
 Equipment Repair Services  
 Maintenance and Service Facilities  
 Construction Sales and Services (exceeding 10,000 square feet)  
 Laundry Services (exceeding 6,000 square feet)

Industrial Uses

Limited Warehousing and Distribution

4) Development of the property will comply with CS site development standards with the following exceptions:

- The minimum front yard set back (Lamar Blvd.) is 0 feet
- The minimum street side yard set back (West 3<sup>rd</sup> Street) is 5 feet
- The minimum rear yard set back (Baylor Street) is 0 feet
- The maximum floor to area ratio is 3:1

In addition, the applicant has agreed to limit the site to 2,000 vehicle trips per day and staff requests that the applicant place that restriction in the agreement.

The reason the applicant is requesting LI-PDA instead of MF-6 or CS-MU, is because the owner would not be able to achieve the type of development desired with the development constraints of any other zoning classification other than DMU and CBD. Since DMU and CBD are not desirable on the west side of this portion of Lamar, LI-PDA best fits the proposed development. With any other classification, the applicant would not be able to meet the front, rear or side yard set back requirements and would exceed the F.A.R. limits of CS zoning (2:1).

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	LI-CO-NP	Goodwill
<i>North</i>	CS-MU-CO-NP	Office
<i>South</i>	LI-CO-NP	Train Station, YMCA
<i>East</i>	DMU	Shopping Center
<i>West</i>	LI-CO-NP	Office

**AREA STUDY:** Old West Austin Neighborhood Plan **TIA:** N/A

**WATERSHED:** Town Lake

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

#018 – Old West Austin Neighborhood Association  
#057 – Old Austin Neighborhood  
#511 – Austin Neighborhoods Council  
#623 – City of Austin Downtown Commission

**ABUTTING STREETS:**

<b><u>Name</u></b>	<b><u>ROW</u></b>	<b><u>Pavement</u></b>	<b><u>Classification</u></b>	<b><u>Daily Traffic</u></b>
N. Lamar	150'	120'	Arterial	52,980
Baylor St.	80'	50'	Collector	3,500
W. 3 <sup>rd</sup> St.	60'	20'	Collector	3,500

**CITY COUNCIL DATE:** 10/21/04:

**ACTION:** Approved LI-PDA-NP as rec. by the Planning Commission. Vote: 7-0.

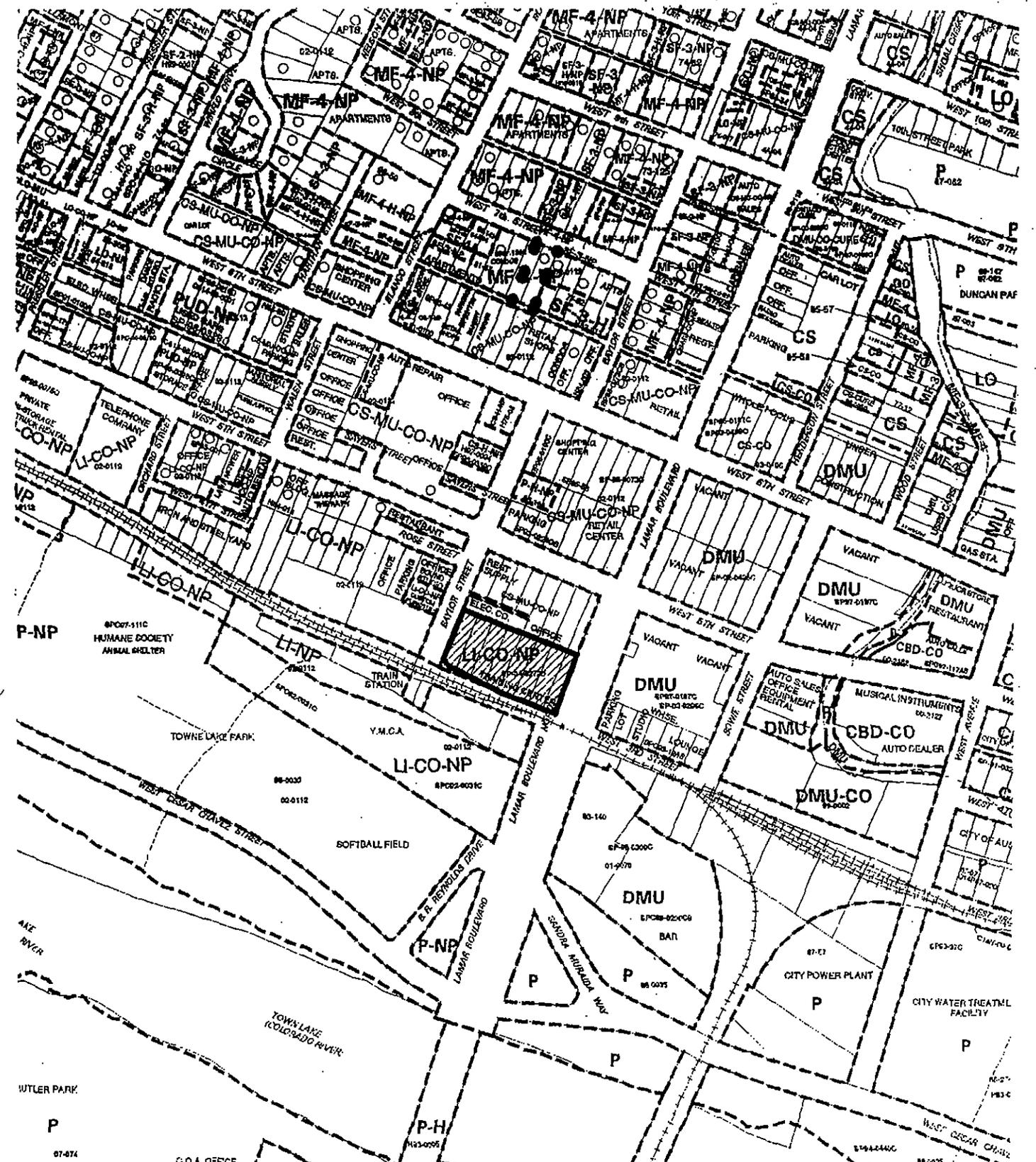
10/28/04:

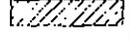
**ORDINANCE READINGS:** 1st 10/21/04 2<sup>nd</sup> 3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Glenn Rhoades

**PHONE:** 974-2775



 1" = 400'	SUBJECT TRACT  PENDING CASE  ZONING BOUNDARY  CASE MGR: G. RHOADES	<b>ZONING</b> CASE #: C14-04-0135 ADDRESS: 300 N LAMAR BLVD SUBJECT AREA (acres): 1.885	DATE: 04-08 INTLS: SM	<b>CITY GRID REFERENCE NUMBER</b> 1122
--	--	--	--------------------------	---



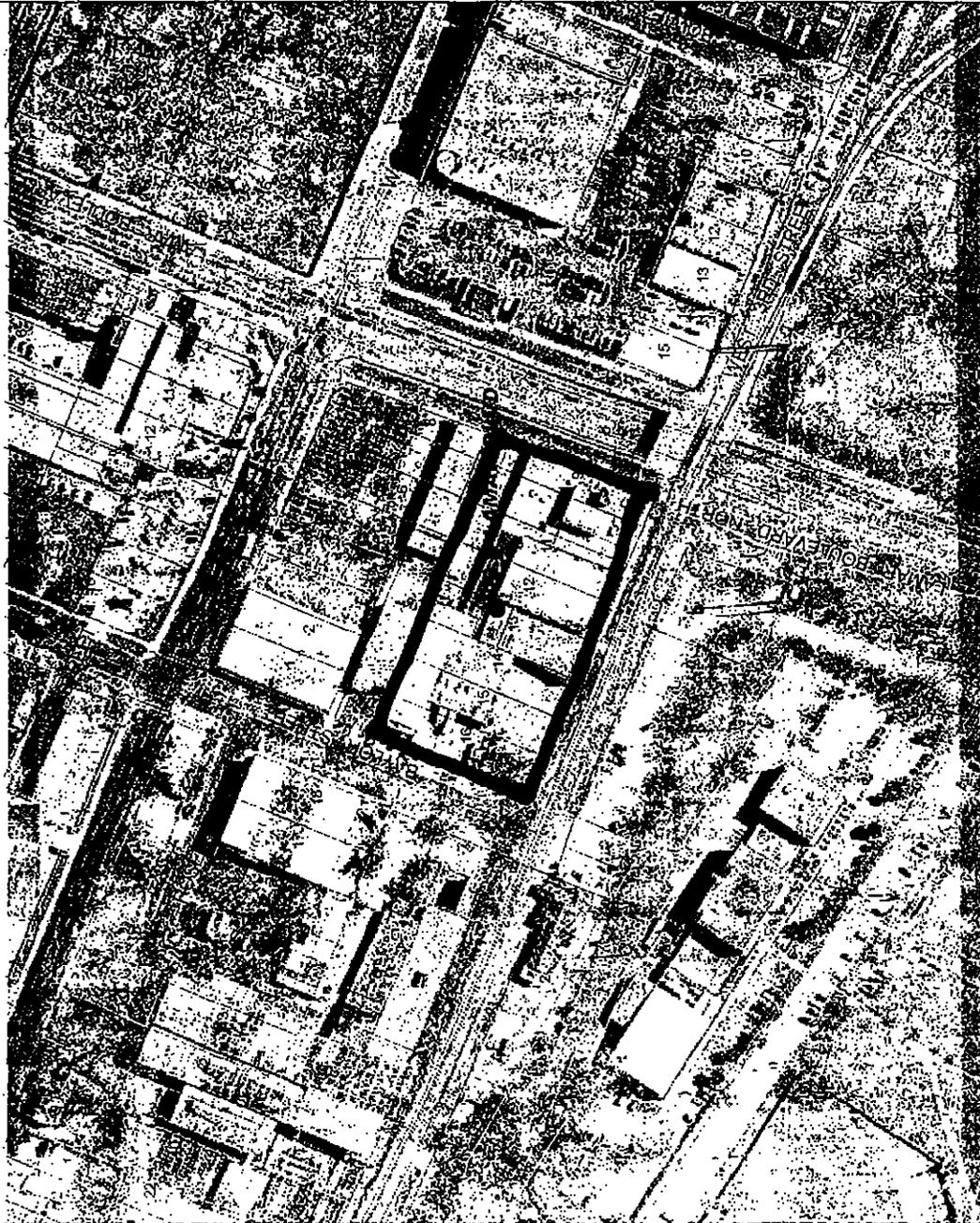
# City of Austin

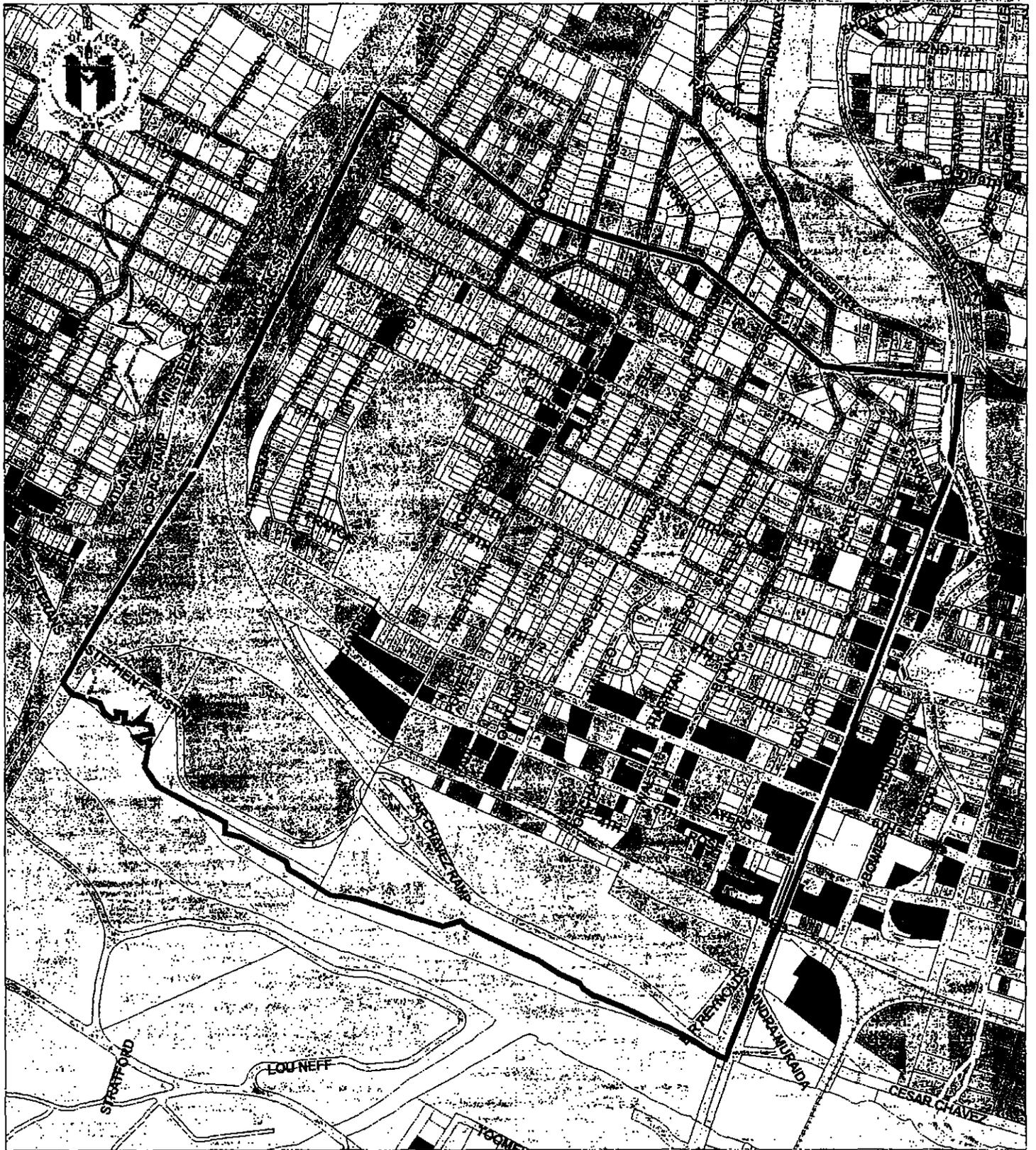
Case C14-04-0135

Subdivision  
Basepoly  
Center Line



This map has been produced by the City of Austin as a working staff map and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness. Reproduction is not permitted without prior written permission from Watershed Protection & Development Review, City of Austin.





# Old West Austin Neighborhood Planning Area

Landuse

- |  |                         |  |                |
|--|-------------------------|--|----------------|
|  | Large Lot Single-family |  | Mining         |
|  | Single-family           |  | Civic          |
|  | Mobile Homes            |  | Open Space     |
|  | Multi-family            |  | Transportation |
|  | Commercial              |  | Right-of-way   |
|  | Office                  |  | Utilities      |
|  | Industry                |  | Vacant         |
|  |                         |  | Water          |
|  |                         |  | Unknown        |

0.5

0

0.5 Miles



## **STAFF RECOMMENDATION**

Staff recommends the proposed change to limited industrial-planned development area-neighborhood plan (LI-PDA-NP) district zoning.

## **BASIS FOR RECOMMENDATION**

*The proposed zoning should be consistent with the purpose statement of the neighborhood plan.*

As stated above, the proposed change conforms to what was envisioned with the adopted Old West Austin Neighborhood Plan and is adjacent to the Central Business District where housing should be encouraged.

*The proposed zoning should promote consistency, and orderly planning.*

The proposed change promotes consistency and orderly planning by being located near employment centers, supporting transportation and commercial facilities, making the proposed development desirable at this location.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The property is currently occupied with a Goodwill facility.

### **Transportation**

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 2,022 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

There are existing sidewalks along Lamar Blvd., the north side of W. 3<sup>rd</sup> St. and the west side of Baylor.

Capital Metro bus service is available along Lamar Blvd.

### **Impervious Cover**

The maximum impervious cover allowed under LI and CS zoning is 80% and 95% respectively.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Town Lake Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-S of the City's Land Development Code. Impervious cover is not limited in this watershed class. This

site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

According to flood plain maps, there is no flood plain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

### **Right of Way**

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

### **Water and Wastewater**

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or system upgrades, or offsite main extension, or utility adjustment, or utility relocation are required, the landowner will be responsible for all costs and providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City utility design criteria and specifications.

### **Compatibility Standards**

Currently, it does not appear that compatibility standards will apply.

**Laura Morrison**, a neighbor down the street, said she supports the zoning change. The zoning will help preserve the single-family home on 7<sup>th</sup> Street. She appreciates that Ms. Schwitters raised the alley issue, because it is a concern, and was identified as such in the neighborhood plan, but the zoning should not be affected.

Commissioner Sullivan asked Ms. Morrison whose idea was it to limit the height. Ms. Morrison said it was Karen Schwitters idea. Commissioner Sullivan said by limiting the height, taking away the MF-4 density. Ms. Morrison pointed out though that under compatibility standards, the MF-4 height could not exceed 30 feet anyways.

**MOTION: CLOSE THE PUBLIC HEARING**

**VOTE: 7-0 (JMC-1<sup>st</sup>, DS-2<sup>nd</sup>; CR-ABSENT)**

**MOTION: APPROVE STAFF RECOMMENDATION**

**VOTE: 7-0 (JMC-1<sup>st</sup>, DS-2<sup>nd</sup>; CR-ABSENT)**

Commissioner Cortez said that he appreciates the preservation of the historic home. Commissioner Sullivan said that MF-4 cannot be built on a small lot because of setbacks, etc. SF-5 is the closest thing to the urban apartment building that the Codes and Ordinances Committee has considered.

- 5. **Zoning:** **C14-04-0135 - 300 N. Lamar**
- Location: 300 North Lamar Blvd., Town lake Watershed, Old West Austin NPA
- Owner/Applicant: Goodwill Industries of Central Texas (Cathy Rudzinski)
- Agent: Drenner Stuart Wolf Metcalf von Kreisler (Michele Allen)
- Request: LI-CO to LI-PDA
- Staff Rec.: **RECOMMENDED**
- Staff: Glenn Rhoades, 974-2775, glenn.rhoades@ci.austin.tx.us  
Neighborhood Planning and Zoning



Commissioner Cortez asked about the affordable housing requirement mentioned in the letter from OWANA. Steve Drenner said they intend to meet the spirit of that- there are on-going discussions.

**MOTION: APPROVED LI-PDA-NP BY CONSENT**

**VOTE: 7-0 (DS-1<sup>st</sup>, JMC-2<sup>nd</sup>; CR-ABSENT)**

Commissioner Sullivan commented that when a property is down deep in the watershed, impervious cover not as much as an issue for flooding.

Old West Austin Neighborhood Association  
OWANA  
P.O. Box 2724  
Austin, Texas 78768-2724

September 20, 2004

Mr. Chris Riley, Chair, and Planning Commission Members  
P. O. Box 1088  
City of Austin  
Austin, Texas 78767

Re: Case # C14-04-0135  
Rezoning of Goodwill Site at 300 N. Lamar

Dear Chairman Riley and Members of the Commission:

On September 7, 2004, the OWANA General Membership passed a motion in support of the rezoning of the Goodwill site as follows:

"The OWANA General Membership supports the zoning change for the Goodwill property at 300 N. Lamar to PDA as specified (see attached) by the property's representative at the Sept. 7, 2004 OWANA General Membership meeting. This support is pending verification that the site's demolition permit is contingent on preservation of the facade.<sup>1</sup> The OWANA General Membership encourages the developer to incorporate

- (1) affordable housing,
- (2) units of an appropriate size for families,
- (3) work of local artisans and
- (4) feedback from continued discussions with the OWANA design committee."

Representatives of Phoenix Properties, who will be developing this site, met several times with the OWANA Zoning Committee, once with the OWANA Design Committee, and twice with the OWANA General Membership. We appreciate the productive discussions that we had, and the representatives' attentiveness to concerns expressed by our members, and those working on the committees.

We look forward to continued discussions with the Phoenix representatives in the future, in particular with respect to elements of the project that our General Membership is encouraging as stated in its motion. We also look forward to the prospect of an increase in the residential population of our neighborhood.

Sincerely,

  
Linda A. MacNeilage, Ph.D.  
OWANA Chair

Attachment: Site Development Standards, 300 N. Lamar PDA

---

<sup>1</sup> Verification that the demo permit does not allow demolition of the facade was received.

SITE DEVELOPMENT STANDARDS

300 North Lamar PDA

August 2004

1) Development of the Property shall comply with Section 25-2-648 (*Planned Development Area Performance Standards*) of the City Code.

2) Except as provided in Sections 4 and 5, all permitted and conditional limited industrial (LI) uses are permitted and conditional uses of the Property.

3) The following are additional permitted uses of the Property:

Residential Uses

Multifamily Residential  
Condominium Residential

Townhouse Residential

4) The following LI uses are prohibited uses of the Property:

Commercial Uses

Industrial Uses

Drop-Off Recycling Collection Facility  
Basic Industry

Scrap and Salvage  
Recycling Center

Exterminating Services  
Resource Extraction

Kennels  
General Warehousing & Distribution

Vehicle Storage

5) The following LI uses are conditional uses of the Property:

Commercial Uses

Industrial Uses

Automotive Rentals  
Limited Warehousing & Distribution

Automotive Sales

Automotive Repair Services

Automotive Washing (of any type)

Convenience Storage

Equipment Sales

Equipment Repair Services

Maintenance and Service Facilities

Construction Sales and Service use that exceeds a site area of 10,000 square feet

Laundry Services use that exceeds a site area of 6,000 square feet

6) Development of the Property shall comply with CS site development regulations provided that:

- i) The minimum front yard setback (Lamar Boulevard) is 0-feet;
- ii) The minimum street side yard setback (West 3<sup>rd</sup> Street) is 5-feet;
- iii) The minimum rear yard setback (Baylor Street) is 0-feet;
- iv) The maximum floor area ratio is 3:1.

7) The maximum number of units developed with Multifamily Residential, Condominium Residential or Townhouse Residential Uses may not exceed 300 units.